

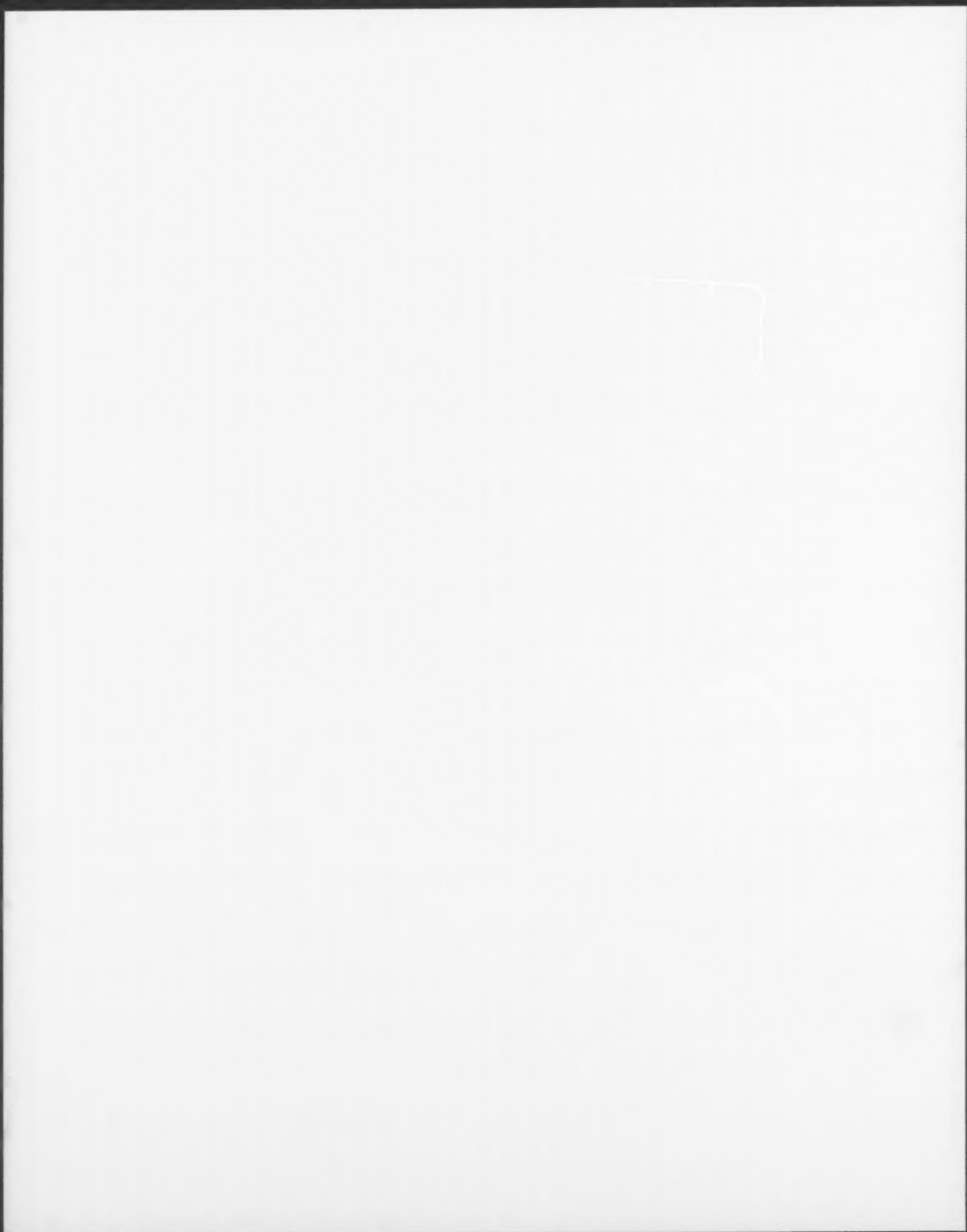
# **Public Prosecution Service of Canada**

**2012-13**

## **Report on Plans and Priorities**

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The Honourable Robert Nicholson  
Minister of Justice and Attorney General of Canada



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## Message from the Director of Public Prosecutions

I am pleased to present the 2012-13 *Report on Plans and Priorities* for the Public Prosecution Service of Canada (PPSC).

The PPSC's core function is the prosecution of offences under federal jurisdiction in a fair, impartial, and objective manner. This report describes the PPSC's plans for the coming year and sets out the organizational priorities that the PPSC has identified in support of that mandate. In addition to our ongoing priorities of security, engagement and employee development, and resourcing and performance measurement, the PPSC will focus on advancing its relationship with investigative agencies, including the implementation of service standards.

Although the PPSC faces a number of challenges, including expected workload increases arising from the implementation of legislative amendments and ongoing fiscal restraint, it is well-placed to meet these challenges thanks to the hard work and dedication of PPSC staff across the country, who exemplify our key values of respect, integrity, excellence, and leadership.

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Brian Saunders  
Director of Public Prosecutions



## SECTION I—ORGANIZATIONAL OVERVIEW

### Raison d'être

The Public Prosecution Service of Canada<sup>1</sup> (PPSC) is an independent prosecution service mandated to prosecute offences under federal jurisdiction. Its sole strategic outcome is the prosecution of criminal and regulatory offences under federal law in a manner that is independent, impartial and fair.

The benefits to Canadians from the work carried out by the PPSC include:

- provision of legal advice to investigative agencies and federal government departments on the criminal law implications of investigations and prosecutions;
- appropriate enforcement of federal laws through principled and independent decisions by prosecutors; and
- confidence in the administration of justice through professionally conducted prosecutions that result in a judicial determination on the merits of the evidence.

### Responsibilities

The PPSC undertakes key duties on behalf of the Attorney General of Canada. These key duties, to be carried out in an objective and non-partisan manner, are:

- **The duty to act independently in making decisions related to criminal prosecutions** – This constitutional principle recognizes that decisions to prosecute, stay proceedings, withdraw charges or launch an appeal must be made solely in accordance with legal criteria. The public interest must be taken into account, but not considerations of a partisan political nature.
- **The duty to act independently in providing prosecution-related legal advice** – While prosecution-related advice to law enforcement and other federal investigative agencies will take into account the agency's legal and policy setting, prosecutors cannot be drawn into the agency's policy making and program administration such that their ability to provide impartial and effective legal advice is undermined.

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<sup>1</sup> The PPSC was created on December 12, 2006 with the coming into force of the *Director of Public Prosecutions Act*. Its applied title is the Public Prosecution Service of Canada whereas its legal title is the Office of the Director of Public Prosecutions.

## *Areas of Prosecution*

The PPSC prosecutes cases under federal statutes that are referred to it by the Royal Canadian Mounted Police (RCMP), other federal investigative agencies, as well as provincial and municipal police forces.

It is responsible for the prosecution of all drug offences under the *Controlled Drugs and Substances Act*, regardless of whether a federal, provincial, or municipal police agency lays the charges, in all provinces except Quebec and New Brunswick. In the latter two provinces, the PPSC is responsible for drug charges laid by the RCMP only.

In all provinces and territories, the PPSC prosecutes offences under federal statutes aimed at protecting the environment and natural resources as well as the country's economic and social health (e.g., *Fisheries Act*, *Income Tax Act*, *Copyright Act*, *Canada Elections Act*, *Canadian Environmental Protection Act*, *Competition Act*, *Customs Act*, *Excise Act*, and *Excise Tax Act*), offences involving fraud against the government, capital market fraud offences, along with conspiracies and attempts to violate any of these statutes. In total, over 250 federal statutes contain offences that fall under the PPSC's jurisdiction to prosecute. However, the PPSC is called upon to regularly provide prosecution services under approximately 60 of those statutes.

In the three territories, the PPSC prosecutes all *Criminal Code* offences as well as offences under all other federal legislation and certain territorial statutes. In the provinces, the PPSC has jurisdiction to prosecute a limited number of *Criminal Code* offences, including those related to terrorism, criminal organizations, money laundering, proceeds of crime, and fraud. Under arrangements with the provinces, the PPSC may prosecute *Criminal Code* offences that are otherwise within provincial jurisdiction when the accused also faces charges within federal jurisdiction.

Where required, the PPSC also provides prosecution-related advice to investigators for all types of prosecutions. Such advice continues to be crucial to ensure that investigative techniques and procedures are consistent with evolving rules of evidence and protections under the *Canadian Charter of Rights and Freedoms*. The advantage of early prosecutorial advice is that it reduces the risk that operational decisions, such as those about methods of obtaining evidence, will detrimentally affect the admissibility of evidence at trial or the constitutional rights of Canadians.



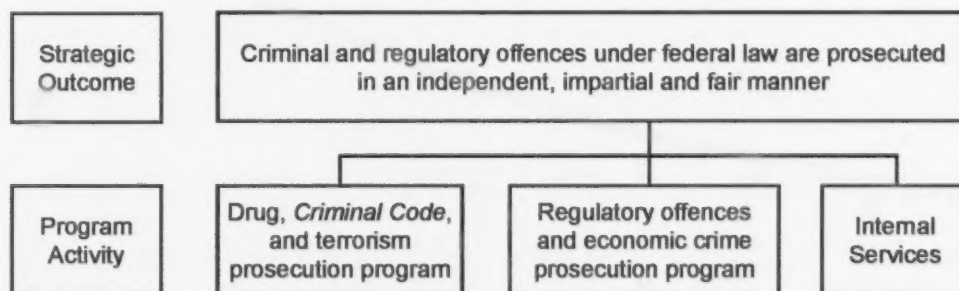
## Organization

The PPSC is a national prosecution service with a network of offices across Canada. As of March 31, 2011, the PPSC had 958 employees, the overwhelming majority of whom were staff prosecutors, paralegals, Crown Witness Coordinators<sup>2</sup> in its northern offices and the support staff who assist them. The remainder included senior managers, administrators and corporate services staff.

The PPSC also employs the services of private sector legal agents in locations where it does not have an office or where it is impractical or otherwise not cost-effective for staff counsel to handle cases. The work of agents is overseen by the PPSC's Agent Affairs Program. The Program includes a centralized support unit at headquarters, as well as agent supervision units located in each regional office, which are responsible for the day-to-day management of agents. The PPSC currently retains some 224 standing agent firms across Canada, representing approximately 535 individually appointed counsel. In 2008-09, the PPSC introduced fixed-term agreements for agents, replacing indeterminate appointments. Under this regime, any law firm or lawyer interested in becoming an agent can apply for a five-year term when an opening occurs.

## Strategic Outcome and Program Activity Architecture (PAA)

The PPSC has one strategic outcome as illustrated in its PAA below. It includes two broad prosecution program activities, as well as Internal Services.



<sup>2</sup> The role of Crown Witness Coordinators is to explain the criminal justice process to victims and witnesses, prepare them to testify in court and, where required, bridge the cultural gap between prosecutors, who are generally from southern Canada, and victims and witnesses from the North.

## Organizational Priorities

The PPSC's organizational priorities are linked to its single strategic outcome, and apply to Internal Services, except for the first priority below, which applies to both prosecution program activities.

Priority	Type <sup>3</sup>
Advancing the PPSC's relationships with investigative agencies	New
<b>Why is this a priority?</b> <ul style="list-style-type: none"> <li>To maximize its effectiveness and efficiency as a prosecutorial service, the PPSC is committed to advancing its relationships with police and federal investigative agencies while respecting the independence of each organization.</li> </ul> <b>Plans for meeting the priority</b> <ul style="list-style-type: none"> <li>Implement service standards as of June 2012 for services provided to police and investigative agencies.</li> <li>Continue to engage in ongoing communication and liaison activities with police and investigative agencies at the management and front-line levels to discuss overall enforcement priorities and directions, upcoming investigations, project files, and any other matters of mutual interest.</li> <li>Continue to participate in interagency committees and working groups, as well as bilateral meetings with the RCMP, other police services and investigative agencies.</li> <li>Conduct a second in-house survey to follow up on the PPSC's 2008 Survey of Investigative Agencies. The survey will seek feedback on the factors that affect investigator perceptions of PPSC services, and identify possible strategies to enhance PPSC services and its working relationship with investigative agencies.</li> </ul>	

Priority	Type
Engagement and employee development	New
<b>Description</b>	
<b>Why is this a priority?</b> <ul style="list-style-type: none"> <li>The PPSC values and requires the contribution of its employees and seeks to offer rewarding careers with diverse opportunities and intellectually challenging work.</li> </ul> <b>Plans for meeting the priority</b> <ul style="list-style-type: none"> <li>Incorporate Public Service Employee Survey results into the HR planning process, and finalize an action plan focusing on key employee engagement issues, as well as turnover rates, retention challenges and Public Service accountabilities in such areas as official languages and employment equity and diversity.</li> <li>Further expand the LA (Law Group) Framework - Ensuring Excellence Initiative and complete the development of a comprehensive and integrated approach linking organizational and talent management initiatives, such as recruitment, learning and development, advancement and overall management of prosecutors.</li> </ul>	

<sup>3</sup> Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR.

## Organizational Priorities (*continued*)

Priority	Type
Resourcing and performance measurement	Ongoing
<b>Description</b>	
<b>Why is this a priority?</b>	
<ul style="list-style-type: none"> <li>The PPSC is committed to maximizing efficiencies within available funding levels, and ensuring that it has the required resources to fulfill its mandate as an independent national prosecution service.</li> <li>The availability of reliable performance information is central to the PPSC's ability to report on its activities and results, as well as to support planning, decision-making and funding strategies.</li> </ul>	
<b>Plans for meeting the priority</b>	
<ul style="list-style-type: none"> <li>Develop options for a funding model to replace the need for any cost recovery for regulatory and economic crime litigation services.</li> <li>Based on an internal report on the nature of the performance measures that the PPSC has produced for evaluation purposes, the strengths and limitations of those measures, and possible strategies to improve them, the PPSC's Performance Measurement Committee will implement measures to improve the quality of performance information on litigation activities and case management. For example, the PPSC is endeavouring to improve the nature, quality and consistency of data on Crown Witness Coordinator Program activities and results in order to improve performance measurement in this area. Specifically, it will develop data entry fields in the PPSC's case management system to better plan and report on the work of CWCs with victims and witnesses, and will seek to identify other data sources.</li> <li>Improve the capabilities of internal systems to supply the required data to support performance indicators relating to corporate functions.</li> </ul>	

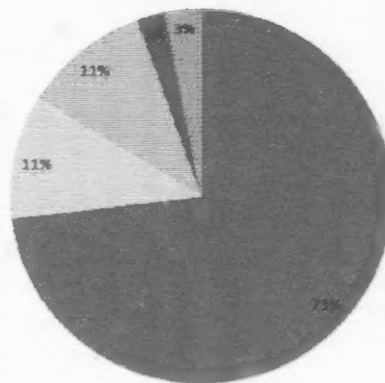
Priority	Type
Security	Ongoing
<b>Description</b>	
<b>Why is this a priority?</b>	
<ul style="list-style-type: none"> <li>Security is the assurance that information, assets and services are protected against compromise and individuals are protected against incidents of threats and intimidation.</li> </ul>	
<b>Plans for meeting the priority</b>	
<ul style="list-style-type: none"> <li>Complete the final phase of implementation of the Employee Protection Program.</li> <li>Finalize and approve the PPSC security plan for managing security risks and outlining strategies, objectives and timelines for improving security functions.</li> <li>Continue to manage the PPSC's security program through the ongoing assessment of risks and the implementation and maintenance of appropriate internal management controls for prevention (mitigation), detection, response and recovery, as required.</li> </ul>	

## Risk Analysis

### Operational Trends

Based on the total volume of files handled as of February 29, 2012, including estimates to year-end, the PPSC's estimated total number of litigation files for 2011-12 is 79,365<sup>4</sup> compared to 78,717 files handled in 2010-11.

In 2011-12, including estimated new files to fiscal year-end, the PPSC will have opened 50,586 new files and carried over 28,770 files from previous years. The average annual percentage increase in the PPSC's caseload of new files since its establishment in December 2006 is approximately 2.5%.



- Files involving drug related offences (54,454) (73%)
- Files involving *Criminal Code* offences (7,962) (11%)
- Files involving regulatory offences and economic offences (7,984) (11%)
- Files involving proceeds of crime and offence-related property (1,803) (2%)
- Files involving other offence types, e.g., under territorial statutes, *Youth Criminal Justice Act*, *Crimes Against Humanity and War Crimes Act* and other federal statutes (2,282) (3%)

Approximately 87.5% of all litigation files were within the Drug, *Criminal Code* and terrorism offences prosecution program, whereas approximately 12.5% involved files within the regulatory offences and economic crime prosecution program.

The PPSC does not control the number or type of cases referred to it for prosecution by the police and investigative agencies that lay charges under federal statutes. Its workload is largely based on these agencies' decisions regarding investigative priorities, tactics and resource allocations. As a result, increases in enforcement resources affect the nature and volume of the PPSC's caseload. Similarly, changes in police tactics to focus on the upper echelons of organized crime groups rather than on individuals in the lower ranks will affect the complexity, duration and cost of prosecutions.

The PPSC uses a risk assessment grid based on the complexity of litigation files. The analysis of files handled from 2007-08 to 2010-11 reveals that files in the "Low" and "Moderate" category increased by 12.6%, while files in the "High" and "Mega" category increased by 77.4%. High complexity and mega cases absorb a disproportionate share of the PPSC's resources. In many instances, a single mega case can absorb more prosecutorial resources than several hundred low complexity cases. For example, drug mega cases and drug cases of high complexity handled by staff prosecutors represented only 2.13% of the drug litigation caseload in 2011-12 but 35.5% of the time recorded by PPSC staff counsel and paralegals for drug-related litigation activities.

<sup>4</sup> The pie chart indicates percentage of files by offence type, based on the total number of files handled in 2011-12 as of February 29, 2012, and not including estimates to year-end. Individual litigation files often include multiple offences falling under more than one offence type. As a result, files may be counted more than once.



This demonstrates how a small increase in the number of organized crime cases in response to strengthened law enforcement efforts across Canada can lead to a significant increase in the demand for prosecutorial resources.

The PPSC has undertaken the development of a corporate risk profile, to be finalized during 2012-13. In 2011-12, managers throughout the PPSC were consulted on key risk factors affecting the organization. The next steps will be the confirmation and ranking of these risk factors, with the corporate risk profile expected to be finalized and approved by fall 2012.

### ***External and Internal Influences Affecting the PPSC***

The PPSC is subject to a variety of external and internal influences, described below.

***International crime networks:*** The globalization of crime networks poses significant dangers to national and global security. These networks engage in such activities as drug trafficking, money laundering, trafficking in human beings, terrorism, and telemarketing fraud. This global reality makes it imperative for the PPSC and investigative agencies to work effectively with international partners to address the serious threats posed by international crime networks.

The PPSC will continue to work with international bodies such as the International Association of Prosecutors, the Heads of Prosecuting Agencies Conference, the International Network to Promote the Rule of Law, the United Nations Office on Drugs and Crime and the *Centro de Estudios de Justicia de las Americas* (based in Santiago, Chile).

***Challenging conditions in the North:*** PPSC prosecutors and Crown Witness Coordinators assigned to the North face a unique set of challenges. These include frequent travel to small isolated communities and extended absences from their homes and families; routine exposure to the traumatic experiences of victims and witnesses due to high rates of violent crime and victimization; and communication difficulties with victims and witnesses, stemming from language and cultural barriers. Despite these challenges, work in the North offers many professional and personal opportunities for staff prosecutors.

***Resourcing issues:*** Federal organizations must fund salary increases and other costs from reallocations within their current budget levels. Accordingly, the PPSC has realigned budgetary resources to cover its total salary requirements. In addition, the PPSC relies on the Department of Justice to provide transactional services to its regional offices, and to maintain systems infrastructure and operations, under the terms of a memorandum of understanding (MOU) between the two organizations. In late 2011-12, a third party was retained by both organizations to conduct an assessment of the corporate services provided under this MOU, document the costs of providing these services, and develop recommendations. Preliminary results indicate that the costs of Justice's services to the PPSC will increase in 2012-13 given the increased levels of service required.

**Security and business continuity:** Due to the nature of their work, PPSC employees may be exposed to threats and intimidation. The PPSC is establishing an Employee Protection Program to help prevent and respond to threats and incidents of intimidation against employees. In addition, Business Continuity Plans have been developed for each office to ensure the continued delivery of services in the event of a disruption of operations due to an emergency.

## Planning Summary

The following tables provide a summary of the total planned spending for the PPSC for the next three fiscal years.

### Financial Resources (\$ millions)

2012-13	2013-14	2014-15
178.0	165.4	165.4

### Human Resources (Full-Time Equivalents—FTEs)

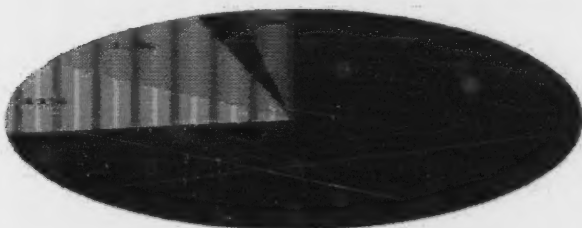
2012-13	2013-14	2014-15
1000	1000	1000

## Planning Summary Tables

<b>Strategic Outcome:</b> Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner.					
<b>Performance Indicators</b>					<b>Targets</b>
<ul style="list-style-type: none"> <li>Number and nature of judicial stays for abuse of process based on the conduct of a federal prosecutor.</li> <li>Number and percentage of successful malicious prosecution lawsuits.</li> <li>Number and nature of substantiated complaints regarding the PPSC's independence, impartiality or fairness.</li> </ul>					<ul style="list-style-type: none"> <li>Zero</li> <li>Zero</li> <li>Zero</li> </ul>
Program Activity	Forecast Spending (\$ millions)	Planned Spending (\$ millions)			Alignment to Government of Canada Outcomes
	2011-12	2012-13	2013-14	2014-15	
<b>Program Activity #1:</b> Drug, <i>Criminal Code</i> , and terrorism prosecution program	121.6	129.6	126.7	126.7	Social Affairs: A safe and secure Canada
<b>Program Activity #2:</b> Regulatory offences and economic crime prosecution program	18.0	19.8	16.0	16.0	
<b>Total</b>	<b>139.6</b>	<b>149.4</b>	<b>142.7</b>	<b>142.7</b>	

Program Activity	Forecast Spending (\$ millions)	Planned Spending (\$ millions)		
	2011-12	2012-13	2013-14	2014-15
Internal Services	23.8	28.6	22.7	22.7
<b>Total Planned Spending</b>		<b>178.0</b>	<b>165.4</b>	<b>165.4</b>

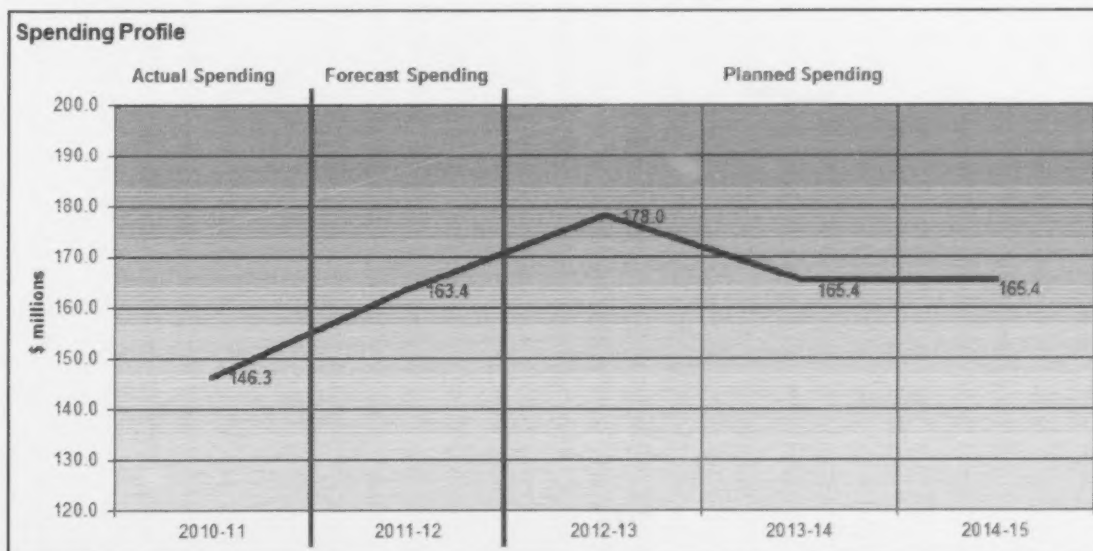
## 2012-13 Planned Spending



- ▣ Drug, *Criminal Code*, and terrorism prosecution program (\$129.6M)
- Regulatory offences and economic crime prosecution program (\$19.8M)
- Internal Services (\$28.6M)

## Expenditure Profile

As noted in the financial resources summary presented above, the PPSC plans to spend \$178 million in 2012-13 to achieve the expected results of its program activities and to contribute to its strategic outcome. The following chart illustrates the PPSC's spending trends from 2010-11 to 2014-15.



The increase of \$17.1M in 2011-12 expenditures is due to:

- new staffing, higher Employee Benefit Plan rates, and the cash out of Severance Pay and Termination benefits by authorized employees, as per collective agreements;
- spending for Crown agents related to an increase in workload and higher fee rates;
- spending on Crown housing in the North; and
- regional office relocations.

The increase of \$14.6M in 2012-13 expenditures is due to:

- the relocation of headquarters offices;
- the release of frozen allotments for mandatory minimum penalties for serious drug offences that the PPSC could not access until passage of the *Safe Streets and Communities Act*; and
- no anticipated lapse in 2012-13.

The decrease of \$12.6M in 2013-14 expenditures is due to:

- no carry forward from the previous fiscal year;
- less spending for office relocations; and
- reductions stemming from Budget 2011.



## **Estimates by Vote**

For information on our organizational appropriations, please see the 2012-13 Main Estimates, available at: <http://www.tbs-sct.gc.ca/est-pre/2012-2013/p2-eng.asp>.

## SECTION II—ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

### Strategic Outcome

The PPSC has one Strategic Outcome: *Criminal and regulatory offences under federal law are prosecuted in an independent, impartial and fair manner.*

### Program Activity #1: Drug, Criminal Code and terrorism prosecution program

Human Resources (FTEs) and Planned Spending (\$ millions)					
2012-13		2013-14		2014-15	
FTEs	Planned Spending	FTEs	Planned Spending*	FTEs	Planned Spending
635	129.6	635	126.7	635	126.7

\* The decrease of \$2.9M is mostly due to no carry forward from the previous fiscal year and \$0.6M of sunseting funds.

Program Activity Expected Results	Performance Indicators	Targets
Litigation files that are prosecuted are decided on merit <sup>5</sup>	<ul style="list-style-type: none"> <li>Percentage of all litigation files pursued for prosecution that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), discharge, acquittal)</li> </ul>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>
Disposition of cases that are not decided on merit <sup>6</sup>	<ul style="list-style-type: none"> <li>Percentage of litigation files not decided on merit</li> </ul>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>

<sup>5</sup> A case is decided on its merits when a judge or jury determines the guilt or innocence of an accused person after a trial. A case is also considered to be decided on its merits where a judge determines after a guilty plea that a conviction is appropriate, or where a Crown prosecutor stays or withdraws a charge as a result of an assessment that the case does not meet the test for prosecution or as result of a plea of guilty being entered to a serious charge rendering proceedings on a less serious charge redundant.

<sup>6</sup> Cases not decided on merit are those that are stayed or quashed by the Court, and for which, as a result, there is no outcome decided by a judge or jury based on the evidence of guilt or innocence. A judicially imposed stay will generally mean discontinuance or permanent suspension of the proceedings.

### ***Description of Activity***

This program supports the protection of society against crime through the provision of legal advice and litigation support during police investigations, and the prosecution of:

- (1) all drug offences under the *Controlled Drugs and Substances Act* and any related organized crime offences throughout Canada, except in Quebec and New Brunswick, where the PPSC prosecutes such offences only where charges are laid by the RCMP;
- (2) proceeds of crime offences;
- (3) pursuant to understandings with the provinces, *Criminal Code* offences where they are related to drug charges;
- (4) all *Criminal Code* offences in the three territories;
- (5) terrorism offences; and
- (6) war crimes and crimes against humanity offences.

This program activity also involves the promotion of federal/provincial/territorial cooperation on criminal justice issues of mutual concern.

### ***Planning Highlights for 2012-13***

Within this program activity, two ongoing priorities relate to organized crime and terrorism-related offences.

The focus on organized crime reflects the priority given to this issue by the federal police and other law enforcement authorities. The PPSC will continue to emphasize inter-jurisdictional cooperation within the prosecutorial community and with investigative agencies both federally, nationally and internationally; provide advice and litigation support during the investigative stage, especially on highly complex cases; prosecute organized crime cases on behalf of the Crown; and pursue proceeds of crime and offence-related property. While all PPSC regional offices prosecute organized crime cases, a number of them are involved in highly complex and resource-intensive cases that will continue through 2012-13, and will require dedicated teams of experienced counsel.

The coming into force of amendments flowing from the *Safe Streets and Communities Act* can be expected to increase the number of cases that go to trial as well as the length and complexity of those trials. The reduced availability of conditional sentences, as well as changes to the *Youth Criminal Justice Act (YCJA)*, which will result in more young persons being subject to custodial sentences upon a guilty finding, can also be expected to result in fewer guilty pleas and more persons choosing to proceed to trial. The *YCJA* changes will have the greatest impact on the three PPSC offices in the North, which handle the majority of cases involving young offenders. Finally, the advent of new or tougher minimum mandatory penalties in the *Criminal Code* for

sexual offences involving children, as well as the reduced availability of conditional sentences, can also be expected to particularly affect Northern prosecutions because of the number of such prosecutions conducted by the PPSC.

The priority given to terrorism-related offences reflects the gravity with which national security matters are viewed. These cases are usually resource-intensive. The PPSC is currently prosecuting two cases in Ontario which are expected to carry over to 2012-13.

A prosecution relating to charges laid under the *Crimes against Humanity and War Crimes Act* is also under way in Ontario. This file involves allegations of genocide in Rwanda and is scheduled for trial in April 2012. Given the complexity of such files, the current estimate for the trial's duration is four months.

As in previous years, the PPSC will work closely with federal/provincial/territorial heads of prosecution on issues and challenges of common interest. As part of this work, the PPSC will continue to co-chair, and provide secretarial and administrative support to, the FPT Heads of Prosecution Committee and to ensure ongoing linkages between the Committee and partners from outside the prosecution community such as the Canadian Bar Association and the Federation of Law Societies of Canada. The PPSC will also continue to participate in the work of the Heads of Prosecuting Agencies Conference and the International Association of Prosecutors.

During 2012-13, the PPSC again expects to receive foreign delegations interested in criminal justice and seeking to deepen their understanding of the Canadian justice system and Canadian prosecution approaches, particularly in relation to drug and terrorism prosecutions, and with respect to areas of the *Criminal Code*.

## Program Activity #2: Regulatory offences and economic crime prosecution program

Human Resources (FTEs) and Planned Spending (\$ millions)											
2012-13				2013-14				2014-15			
FTEs	Gross Spending	Revenue	Net Planned Spending	FTEs	Gross Spending	Revenue	Net Planned Spending*	FTEs	Gross Spending	Revenue	Net Planned Spending
216	33.5	-13.7	19.8	216	29.7	-13.7	16.0	216	29.7	-13.7	16.0

\* The decrease of \$3.8M is due to \$3.1M in reductions stemming from Budget 2011 and no carry forward from the previous fiscal year.

Program Activity Expected Results	Performance Indicators	Targets
Litigation files that are prosecuted are decided on merit	<ul style="list-style-type: none"> <li>Percentage of all litigation files pursued for prosecution that are decided on merit (i.e., by most serious outcome of guilty plea, guilty plea (other / lesser offence), conviction, conviction (other / lesser offence), discharge, acquittal)</li> </ul>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>
Disposition of cases that are not decided on merit	<ul style="list-style-type: none"> <li>Percentage of litigation files not decided on merit</li> </ul>	<ul style="list-style-type: none"> <li>Not applicable</li> </ul>

### Description of Activity

This program supports the protection of society against crime through the provision of legal advice and litigation support to police and federal investigative agencies, and the prosecution of:

- (1) offences under federal statutes aimed at protecting the environment and natural resources as well as the country's economic and social health (e.g., *Fisheries Act*, *Income Tax Act*, *Copyright Act*, *Canada Elections Act*, *Canadian Environmental Protection Act*, *Competition Act*, *Customs Act*, *Excise Act*, and *Excise Tax Act*);
- (2) offences involving fraud against the federal government;
- (3) capital market fraud offences; and
- (4) conspiracies and attempts to violate any of these statutes.

This program also includes the recovery of outstanding federal fines and the promotion of federal/provincial/territorial cooperation on criminal justice issues of mutual concern.



## ***Planning Highlights for 2012-13***

The further development and implementation of various elements of the PPSC's vision for Law Practice Management are planned for 2012-13. This will include the ongoing work on the major revision of the *Federal Prosecution Service (FPS) Deskbook*<sup>7</sup>, the provision of customized advanced and basic training through its School for Prosecutors, as well as supplementing the PPSC's knowledge management Intranet site with additional training and legal resources for prosecutors and paralegals.

In addition, the PPSC will continue to work closely with federal-provincial-territorial heads of prosecution on issues and challenges of common interest in the areas of regulatory offences and economic crime. The Securities Fraud and Economic Crime Prosecutors Affiliation will be focusing on the training of prosecutors who handle capital market offences cases and the development of best practices in areas such as information sharing and immunity agreements. The PPSC is contributing to the development of a shared website on economic crime that will be accessible by prosecutors and other members of the Affiliation.

The PPSC will also continue to actively participate in symposia and conferences which focus on regulatory offences and economic crime prosecutions, and to host delegations interested in regulatory prosecutions.

The PPSC's Agent Affairs Program will continue to implement fixed-term agreements for agents, replacing indeterminate appointments which were subject to termination without notice. This multi-year transition began in 2009; fixed-term agreements will be in place in all jurisdictions across Canada by 2014. Under the new regime, any law firm or lawyer interested in becoming a federal prosecution agent can apply for a five-year term when an opening occurs in a jurisdiction. Agents are selected pursuant to a competitive process that includes screening and reference checks. Further information about the fixed-term regime is available on the PPSC's website at <http://www.ppsc-sppc.gc.ca/eng/pub/tcfa-cetf/index.html>.

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<sup>7</sup> The Federal Prosecution Service (FPS) Deskbook is a policy manual governing all PPSC staff prosecutors and legal agents.

## Program Activity #3: Internal Services

Human Resources (FTEs) and Planned Spending (\$ millions)											
2012-13				2013-14				2014-15			
FTEs	Gross Spending	Revenue	Net Planned Spending	FTEs	Gross Spending	Revenue	Net Planned Spending*	FTEs	Gross Spending	Revenue	Net Planned Spending
149	30.2	-1.6	28.6	149	24.3	-1.6	22.7	149	24.3	-1.6	22.7

\* The decrease of \$5.9M is due to reduced spending on office relocations and no carry forward from the previous fiscal year.

### Program Activity Summary and Planning Highlights

Internal Services comprise groups of related activities that support the above two program activities and other corporate accountabilities. Three of the PPSC's organizational priorities (under Section I) support internal services (i.e., Engagement and Employee Development, Resourcing and Performance Measurement, and Security). Additional planning highlights for internal services are described below.

- Financial Management and Acquisition (Procurement and Assets Management):**  
 The Finance and Acquisitions Directorate (FAD) will continue to strengthen its financial management and acquisitions functions through the provision of support, advice and training and to improve internal processes to better support managers. FAD will continue to direct efforts on implementing the Treasury Board policy suite and their specific requirements relating to financial reporting. These include impact analyses, amendments to existing internal processes and practices, development of new or amended directives and procedures, communications, monitoring and training.

As of April 1, 2012, the PPSC will be implementing major changes in how it plans and recovers costs from departments and investigative agencies for prosecutions of regulatory offences that fall under the statutes they administer. These changes will improve business processes and enhance corporate systems to reduce administrative effort.

- Human Resources Management:** Building on the 2009-2014 People Management Strategy, the PPSC will continue to focus on human resources planning, organizational management, and talent management. It will create tools for managers and employees that will enable the organization to take a coherent and progressive approach to the management of its human resources. Issues that were identified in the 2011 Public Service Employee Survey and the 2011-2012 Management Accountability Framework assessment will also be addressed.

- ***Information Management and Technology:*** The PPSC will continue to rely on the Department of Justice and Shared Services Canada for core IM and IT services. A review of the arrangement with Justice is under way with the goal of strengthening and potentially extending services received under the terms of a revised MOU. In addition, the PPSC will continue to explore enabling technologies in such areas as e-disclosure to achieve efficiencies and savings. It will also expand the use of video-conferencing to cut travel expenses, and the use of courtroom technologies to reduce paper burden and related costs. Finally, it will focus on developing a comprehensive IM strategy and plan as well as establishing a Records Disposition Authority for the PPSC.
- ***Administration Services:*** The PPSC's Administration Services will concentrate on establishing a single headquarters office location in the National Capital Region, by November 2012. It will also implement, as of April 1, 2012, the PPSC's Informal Conflict Management System in collaboration with bargaining agents.



## SECTION III: SUPPLEMENTARY INFORMATION

### Financial Highlights

<b>Future-Oriented Condensed Statement of Operations</b> For the Year (ended March 31) (\$ millions)			
	<b>% Change</b>	<b>Future-Oriented 2012-13</b>	<b>Future-Oriented 2011-12</b>
Total Expenses*	4.8%	203.7	194.4
Total Revenues	1.2%	17.0	16.8
<b>Net Cost of Operations</b>	<b>5.1%</b>	<b>186.7</b>	<b>177.6</b>

\*Total Expenses are higher than Forecast Spending and Planned Spending given that they include non-cash expenses such as amortization, allowances, and accrual expenditures.

<b>Future-Oriented Condensed Statement of Financial Position</b> For the Year (ended March 31) (\$ millions)			
	<b>% Change</b>	<b>Future-Oriented 2012-13</b>	<b>Future-Oriented 2011-12</b>
Total assets	6.1%	24.2	22.8
Total liabilities	7.7%	43.4	40.3
Equity	9.7%	-19.2	-17.5
<b>Total</b>	<b>6.1%</b>	<b>24.2</b>	<b>22.8</b>

### Future-Oriented Financial Statements

The PPSC's financial statements can be found on its website at:  
<http://www.ppsc-sppc.gc.ca/eng/pub/index.html>

## List of Supplementary Information Tables

All electronic supplementary information tables can be found in the 2012-13 Reports on Plans and Priorities on the Treasury Board of Canada Secretariat website at: <http://www.tbs-sct.gc.ca/rpp/2012-2013/index-eng.asp>.

- Sources of Respendable and Non-Respendable Revenue
- Internal Audits
- Horizontal Initiatives:
  - Anti-Money Laundering and Anti-Terrorist Financing Regime, led by the Department of Finance
  - Federal Tobacco Control Strategy, led by Health Canada
  - Integrated Market Enforcement Teams Initiative, led by the Department of Public Safety
  - Integrated Proceeds of Crime, led by the Department of Public Safety
  - National Anti-Drug Strategy, led by the Department of Justice Canada

## SECTION IV: OTHER ITEMS OF INTEREST

### Organizational Contact Information

Public Prosecution Service of Canada  
284 Wellington Street – 2nd Floor  
Ottawa, Ontario K1A 0H8  
613-957-7772  
1-877-505-7772  
info@ppsc.gc.ca

### Additional Information

The following publications are available at the PPSC's website at:  
<http://www.ppsc-sppc.gc.ca/eng/pub/index.html>

Public Prosecution Service of Canada Annual Report 2010-2011

The Federal Prosecution Service Deskbook

Public Prosecution Service of Canada Annual Report on the *Access to Information Act* 2010-2011

Public Prosecution Service of Canada Annual Report on the *Privacy Act* 2010-2011